

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
KAISER ALUMINUM CORP. <i>et al.</i> ,)	
)	Bankruptcy Case No. 02-10429 (JKF)
Debtors.)	
)	
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In re:)	
KAISER ALUMINUM CORP. <i>et al.</i> ,)	Misc. Case No. 06-041 (JJF)
)	
Debtors.)	
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**DESIGNATION OF ITEMS FOR RECORD ON APPEAL
AND STATEMENT OF ISSUES ON APPEAL**

Columbia Casualty Company, Transcontinental Insurance Company, Harbor Insurance Company, and Continental Insurance Company, pursuant to Fed. R. App. P. 6(b)(2)(B), hereby designate the items to be included in the record on appeal and sets forth the state of issues on its appeal from the Final Order and Memorandum of Opinion of the United States District Court for the District of Delaware, entered in this action on May 11, 2006, affirming the (i) *Order Confirming The Second Amended Joint Plan Of Reorganization Of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation And Certain Of Their Debtor Affiliates, As Modified* and (ii) the accompanying *Findings Of Fact And Conclusions Of Law Regarding Confirmation Of The Second Amended Joint Plan Of Reorganization Of Kaiser Of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation And Certain Of Their Debtor Affiliates, As Modified*, both entered by the United States Bankruptcy Court for the District of Delaware on February 6, 2006.

I. DESIGNATION OF ITEMS FOR RECORD ON APPEAL**A. Items Entered on the Bankruptcy Court's Docket**

The following items, entered on the Bankruptcy Court's Docket, which were transmitted to the District Court as part of the record on appeal, are hereby designated as items to be included in the record on appeal to the Third Circuit Court of Appeals.

Bankruptcy Court Docket No.	Filing / Entry Date	Document Name
7311	9/7/05	Disclosure Statement to the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates
7312	9/7/05	Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates
7314	9/7/05	Blackline Version of the Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code for the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates
7320	9/8/05	Order (A) Approving Proposed Disclosure Statement, (B) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (C) Scheduling A Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures
7460	9/30/05	Motion for Entry of an Order Enforcing the Automatic Stay and Directing Certain Insurance Companies to Dismiss a Recently Filed Motion Seeking Adjudication of Plan Confirmation Issues Insurance Coverage Litigation Pending in California State Court
7504	10/14/05	Objection to Certain Insurers' Objection to Motion for Entry of an Order Enforcing the Automatic Stay and Directing Certain Insurance Companies to Dismiss Their Recent Motion Seeking Adjudication of Plan Confirmation Issues in California State Court
7659	11/7/05	Motion of Certain Debtors and Debtors in Possession for Entry of Stipulation and Agreed Order Regarding Plan Modifications and Potential Confirmation Objections by Certain Insurance Companies Filed by Kaiser Aluminum Corporation
7718	11/14/05	Order Approving Stipulation and Agreed Order Regarding Plan Modifications and Potential Confirmation Objections by Certain Insurance Companies
7834	12/2/05	Objection to Confirmation Regarding the Inadequate Contributions by the Debtors to the Asbestos PI Trust That Fail to Satisfy the Minimum Requirements of the Bankruptcy Code Section 524(g)

7836	12/2/05	Objection to Confirmation of Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, and Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates
7839	12/2/05	Certain Insurers' Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies
7840	12/2/05	Joinder of Republic Indemnity Company and Transport Insurance Company (f/k/a Transport Indemnity Company) Into Certain Insurers' Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies and Additional and Supplemental Arguments Related Thereto
7843	12/2/05	Corrected Certain Insurers' Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies
7847	12/5/05	Joinder in Certain Insurer's Plan Objections
7851	12/5/05	Joinder in Certain Insurers' Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies
7961	12/16/05	Pre-hearing Brief of the Official Committee of Unsecured Creditors in Support of Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
7962	12/16/05	Joinder of the Future Silica and CTPV Claimants' Representative to Reorganizing Debtors' Response to Certain Insurers' Amended Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies, Republic Indemnity Company and Transport Insurance Company's Additional and Supplemental Arguments Related Thereto, and any Joinders Thereto
7966	12/17/05	Memorandum of Law of Reorganized Debtors and Official Committee of Asbestos Claimants in Response to Certain Insurers' Objections to Confirmation of the Second Amended Joint Plan of Reorganization as Modified
7967	12/17/05	Memorandum of Law of Reorganizing Debtors (A) in Support of Confirmation of the Second Amended Joint Plan of Reorganization as Modified, (B) in Response to Pending Objections Thereto and (C) Requesting Authorization to Make Plan Modifications
7968	12/17/05	Joinder to Joint Memorandum of Law of Reorganized Debtors and Official Committee of Asbestos Claimants in Response to Certain Insurers' Objections to Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified Re Docket No. 7966

8046	12/30/05	Joinder Into Certain Insurers' Amended Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies
8057	1/3/06	Reply of Excess Insurers in Support of Limited Objection
8058	1/3/06	Reply of Certain Insurers in Further Support of Their Objection to the Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies and in Response to the Joint Memorandum of the Reorganizing Debtors and Official Committee of Asbestos Claimants
8060	1/3/06	Reply Brief to Plan Proponents' Briefs in Support of the Second Amended Joint Plan of Reorganization, re Docket Nos 7961, 7966
8063	1/3/06	Declaration of Anne M. Ferazzi, Representative
8065	1/3/06	Affidavit in Support of Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates as of September 7, 2005, as Amended Through January 3, 2006
8066	1/3/06	Declaration of Edward F. Houff in Support of Confirmation of Second Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code
8067	1/3/06	Declaration of Blake O'Dowd in Support of Confirmation of the Second Amended Joint Plan of Reorganization
8135	1/13/06	Transcript of Hearing Held on January 9, 2006 Before the Honorable Judith K. Fitzgerald
8225	2/6/06	Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8226	2/6/06	Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8264	2/15/06	Notice of Appeal Filed by TIG Insurance Company (as successor by merger to International Insurance Company)
8272	2/15/06	Notice of Appeal Filed by Columbia Casualty Insurance Company, Transcontinental Insurance Company, Harbor Insurance Company and Continental Insurance Company
8273	2/15/06	Notice of Appeal of Certain Insurers to Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of their Debtor Affiliates, as Modified

8276	2/15/06	Notice of Appeal by Transport Insurance Company (f/k/a Transport Indemnity Company) of Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8277	2/15/06	Notice of Appeal by Republic Indemnity Company of Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8278	2/15/06	Notice of Appeal by First State Insurance Company, Hartford Accident and Indemnity Company, New England Reinsurance Corporation and Nutmeg Insurance Company of Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified.
8283	2/15/06	Notice of Appeal of AIU Insurance Company, Granite State Insurance Company, Insurance Company of the State of Pennsylvania, Landmark Insurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, PA., and New Hampshire Insurance Company of Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8293	2/15/06	Motion to Allow for <i>De Novo</i> Review of Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8295	2/15/06	Joinder of AIU Insurance Company, Granite State Insurance Company, Insurance Company of the State of Pennsylvania, Landmark Insurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, PA., and New Hampshire Insurance Company in Request by Columbia Casualty Company, Transcontinental Insurance Company, Harbor Insurance Company, and Continental Insurance Company for <i>De Novo</i> Review of Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of their Debtor Affiliates, as Modified
8296	2/15/06	Joinder Filed by TIG Insurance Company (as successor by merger to International Insurance Company)

8297	2/15/06	Joinder of Certain Insurers in Request by Columbia Casualty Company, Transcontinental Insurance Company, Harbor Insurance Company, and Continental Insurance Company for De Novo Review of Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8298	2/16/06	Request by First State Insurance Company, Hartford Accident and Indemnity Company, New England Reinsurance Corporation and Nutmeg Insurance Company for De Novo Review of Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
8299	2/16/06	Request by Republic Indemnity Company and Transport Insurance Company (f/k/a Transport Indemnity Company) for De Novo Review of Findings of Fact And Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified

B. Items Entered on the District Court's Docket

The following items, entered on the District Court's Docket, are hereby designated as items to be included in the record on appeal to the Third Circuit Court of Appeals.

District Court Docket No.	Filing / Entry Date	Document Name
1	3/8/06	Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified
2	3/8/06	Certification of Counsel Regarding Proposed (I) Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates, as Modified and (II) Findings of Fact and Conclusions of Law Regarding Confirmation of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates as Modified - filed by Kaiser Aluminum Corp.
3	3/8/06	Disclosure Statement Pursuant to Section 1125 of the Bankruptcy Code for the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation and Certain of Their Debtor Affiliates.

5	3/17/06	Joint Motion of Debtors and Debtors in Possession and Their Principal Creditor Constituencies for Consolidation of Appeals, for Waiver of Mediation Requirement and for an Expedited Hearing on Confirmation Findings and Confirmation Order
7	3/27/06	Joint Response of Certain Insurers to Joint Motion of Debtors and Debtors in Possession and Their Principal Creditor Constituencies for Consolidation of Appeals, for Waiver of Mediation Requirement and for an Expedited Hearing on Confirmation Findings and Confirmation Order
8	3/29/06	Memorandum Order
10	3/29/06	Joint Reply of Debtors and Debtors in Possession and Their Principal Creditor Constituencies to Joint Response of Certain Insurers to Joint Motion for Consolidation of Appeals, for Waiver of Mediation Requirement and for an Expedited Hearing on Confirmation Findings and Confirmation Order
11	4/3/06	Memorandum Order
17	4/17/06	Opening Memorandum of Columbia Casualty Company, Transcontinental Insurance Company, Harbor Insurance Company, Continental Insurance Company, and TIG Insurance Company, as Successor by Mergers with International Surplus Lines Insurance Company, Regarding Appeal and Request for <i>De Novo</i> Review of Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies
18	4/17/06	Opening Memorandum of Appellants, Century Indemnity Company (Successor to Cigna Specialty Insurance Company, formerly known as California Union Insurance Company, and Successor to CCI Insurance Company, Successor to Insurance Company of North America, and as Administrative Agent of Former Members of Afia, Including St. Paul Mercury Insurance Company); Ace Property & Casualty Company (f/k/a Cigna Property & Casualty Company, f/k/a Aetna Insurance Company); Industrial Indemnity Company; Industrial Underwriters Insurance Company; Pacific Employers Insurance Company; and Central National Insurance Company of Omaha, by and Through Cravens, Dargen and Company, Managing General Agent
19	4/17/06	Appendix to Opening Memorandum of Appellants, Century Indemnity Company (Successor to Cigna Specialty Insurance Company, Formerly Known as California Union Insurance Company, and Successor to CCI Insurance Company, Successor to Insurance Company of North America, and as Administrative Agent of Former Members of AFIA, Including St. Paul Mercury Insurance Company); Ace Property and Casualty Company (Formerly Known as Cigna Property & Casualty Company, Formerly Known as Aetna Insurance Company); Industrial Indemnity Company; Industrial Underwriters Insurance Company; Pacific Employers Insurance Company; and Central National Insurance Company of Omaha, by and Through Cravens, Dargen and Company, Managing General Agent
20	4/17/06	Memorandum of First State Insurance Company, Hartford Accident and Indemnity Company, New England Reinsurance Corporation and Nutmeg Insurance Company

22	4/17/06	Appellant Brief of Appellants, Republic Indemnity Company and Transport Insurance Company (f/k/a Transport Indemnity Company)
24	4/20/06	Memorandum of AIU Insurance Co., Granite State Insurance Co., Insurance Company of the State of Pennsylvania, Landmark Insurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, P.A., and New Hampshire Insurance Company.
32	5/01/06	Future Silica and CTPV Claimants' representative's Appellate Memorandum in Response to the Memoranda of the Appellant Insurers, and in Joinder to the Joint Answering Memorandum of Reorganizing Debtors and Their Principal Creditor Constituencies
33	5/01/06	Joint Answering Memorandum of Reorganizing Debtors and Their Principal Creditor Constituencies
45	5/08/06	Reply Memorandum of Appellants, Century Indemnity Company (Successor to Cigna Specialty Insurance Company, Formerly Known as California Union Insurance Company, and Successor to CCI Insurance Company, Successor to Insurance Company of North America, and as Administrative Agent of Former Members of AFIA, Including St. Paul Mercury Insurance Company); Ace Property & Casualty Company (Formerly Known as Cigna Property & Casualty Company, Formerly Known as Aetna Insurance Company); Industrial Indemnity Company; Industrial Underwriters Insurance Company; Pacific Employers Insurance Company; and Central National Insurance Company of Omaha, by and through Cravens, Dargen and Company, Managing General Agent
46	5/08/06	Reply Memorandum of Columbia Casualty Company, Transcontinental Insurance Company, Harbor Insurance Company, Continental Insurance Company, and TIG Insurance Company, as Successor by Mergers with International Surplus Lines Insurance Company, Regarding Appeal and Request for <i>De Novo</i> review of Alleged Statutory Preemption of Insurers' Rights and Debtors' Obligations Under Insurance Policies.
47	5/08/06	Reply of Appellants Republic Indemnity Company and Transport Insurance Company (f/k/a Transport Indemnity Company)
57	5/11/06	Memorandum Opinion
58	5/11/06	Order
63	5/11/06	Transcript of Hearing held on 5/11/06 before Judge Farnan, Jr.
67	6/08/06	Notice of Appeal to United States Court of Appeals for the Third Circuit by TIG Insurance Company
66	6/09/06	Notice of Appeal to the United States Court of Appeals for the Third Circuit
68	6/09/06	Notice of Appeal to the United States Court of Appeals for the Third Circuit

II. STATEMENT OF ISSUES ON APPEAL

1. Did the District Court err in affirming the Bankruptcy Court's order concluding that 11 U.S.C. § 1123(a)(5) empowers a debtor in possession to assign its insurance contracts to

a trust established pursuant to 11 U.S.C. § 524(g) pursuant to a Chapter 11 plan of reorganization, notwithstanding the anti-assignment clauses contained in such contracts or applicable nonbankruptcy law?

2. Did the District Court err in affirming the Bankruptcy Court's order concluding that 11 U.S.C. § 1123(a)(5) preempts applicable non-bankruptcy law regarding assignment of insurance contracts.

3. Did the District Court err in affirming the Bankruptcy Court's order concluding that it had jurisdiction to order the assignment of alleged rights under non-executory insurance contracts?

Dated: June 23, 2006

Respectfully submitted,

/s/ Carmella P. Keener
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CERTIFICATE OF SERVICE

I, Carmella P. Keener, do hereby certify that on the 23rd day of June 2006, I caused to be electronically filed with the Clerk of the Court the foregoing **Designation of Items for Record on Appeal and Statement of Issues on Appeal** using CM/ECF, which will send notification of such filing to the following:

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